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DOCKET NO. Z2002-700719

**REQUEST FOR CONTINUED
EXAMINATION (RCE)
TRANSMITTAL**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

| | |
|----------------------|--------------------|
| Application Number | 09/406,979 |
| Confirmation Number | 2142 |
| Filing Date | September 28, 1999 |
| First Named Inventor | Kevin Brehmer |
| Group Art Unit | 2612 |
| Examiner Name | Justin Misleh |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: Request for Continued Examination (RCE) practice under 37 C.F.R. § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. Submission required under 37 C.F.R. § 1.114

a. Previously submitted

- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____.
(Any unentered amendment(s) referred to above will be entered.)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
iii. ☐ Other:

b. Enclosed is/are:

- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other:

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ____ months. (Period of suspension shall not exceed 3 months) and the Fee of \$130.00 under 37 C.F.R. § 1.17(i) is enclosed.
- b. ☐ Other:

3. Fees - The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☐ Enclosed is a check in the amount of \$_____ which covers:
 - i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) in the amount of \$790.00
 - ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
 - iii. ☒ Other: Excess claims in the amount of \$400.00

4. If the filing of this RCE necessitates an extension of time under 37 CFR § 1.136(a), the applicant hereby requests such extension of time.

Adjustment Date: 09/29/2005 SDIRETA1
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01 FC:1201 200.00 CR

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09/29/2005 SDIRETA1 00000016 502762 09406979
01 FC:1201 200.00 DA

06/01/2005 SS11H1B1 00000075 502762 09406979
01 FC:1801 790.00 DA
02 FC:1201 400.00 DA

separate sample and hold circuits used to obtain the photo signal representative of incident light intensity and to obtain the photo signal representative of a reference black level.

Allowable Subject Matter


Applicant thanks the Examiner for the indication of allowability of claims 16, 25 and 34.

CONCLUSION

In view of the foregoing amendments and remarks, reconsideration is respectfully requested. This application should now be in condition for allowance; a notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50/2762.

Respectfully submitted,
Kevin Brehmer et al., Applicant

By: 
Gary S. Engelson, Reg. No. 35,128
LOWRIE, LANDO & ANASTASI, LLP
One Main Street
Cambridge, Massachusetts 02142
Telephone: 617-395-7000
Facsimile: 617-395-7070

Date: May 25, 2005

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FORTKORT GRETHER + KELTON LLP

FACSIMILE TRANSMITTAL SHEET

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|---|---|
| TO: DEPOSIT ACCOUNT BRANCH Refund Request | FROM: Reina R. Bernfeld Legal Assistant |
| COMPANY: USPTO | DATE: AUGUST 4, 2005 |
| FAX NUMBER: 571-273-6500 | TOTAL NO. OF PAGES INCLUDING COVER: 1 |
| PHONE NUMBER: 571-272-6500 | SENDER'S REFERENCE NUMBER: Deposit Account No. 50-2726 |
| RE: REFUND REQUEST for INCORRECT DEBIT OF OUR ACCOUNT | YOUR REFERENCE NUMBER: Deposit Account No. 50-2726 |

☒ URGENT

Sir/Madam,

During the Statement Month of June 2005, a posting was made to our Deposit Account No. 50-2726 as follows:

| | |
|---------------------|------------|
| Date Seq: | 6/9/05 |
| Posting Ref Txt: | 09406979 |
| Atty Docket Number: | PIXL.P0005 |
| Fee Code: | 1201 |
| Amount: | \$200.00 |
| Balance: | \$2,600.00 |

The above-referenced Attorney Docket Number and Posting Reference does not belong to our firm. Therefore, we are requesting that the amount of \$200.00 be refunded at your earliest convenience to our Deposit Account, No. 50-2726.

Please send confirmation to our attention at the address on this facsimile letterhead that the credit has occurred.

Thank you for your prompt attention to this matter. If you have any questions, or need further assistance, please do not hesitate to contact us.

Very truly yours,

Reina R. Bernfeld

Reina R. Bernfeld
Legal Assistant

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ATTORNEYS + COUNSELORS WHEN I.P. MATTERS 8911 N CAPITAL OF TEXAS HIGHWAY SUITE 3200 AUSTIN TEXAS 78759 P1 512-279-3100 F1 512-279-3101 WWW.HULSEYLAKE.COM